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OIPE JC13 MAY 10 2002 PATENT & TRADEMARK OFFICE

Patent Application
Attorney Docket No.: 25092-13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Bichel et al.
Serial No.:	10/067,145
Confirmation No.:	4799
Filing Date:	February 4, 2002
For:	APPARATUS AND METHOD OF SOFT SORTING FRUITS AND VEGETABLES
Examiner:	
Group Art Unit:	3653

VIA FIRST CLASS MAIL

Box MISSING PARTS
Assistant Commissioner for Patents
Washington D.C. 20231

TRANSMITTAL LETTER

Dear Sir:

The following items are enclosed:

In response to the Notice to File Missing Parts dated March 4, 2002, enclosed herewith is a fully-executed Declaration;

An Assignment and Power of Attorney executed by each inventor; and

A check totaling the amount of $1,090.00 is enclosed to cover the basic statutory filing fee ($370.00) set forth in 37 CFR § 1.16(a), the surcharge ($65.00) set forth in 37 CFR § 1.16(e), the document recording fee ($40.00) set forth in 37 CFR § 1.21(h) and the additional claim fees ($615.00) as set forth in 37 CFR § 1.16(b) and (c).

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment in any required fees to deposit account no. 02-2850. For this purpose, a duplicate of this transmittal letter is attached.

Please date-stamp the enclosed, stamped and self-addressed postcard receipt to acknowledge receipt of this transmittal letter along with the accompanying Declaration, Powers of Attorney, Assignment and the check and any other items listed on the postcard receipt and then mail the postcard receipt back to me.

Respectfully submitted,

Joseph W. Byrne
Registration No. 43,522

Dated: May 3, 2002

BOARDMAN, SUHR, CURRY & FIELD LLP
1 South Pinckney Street, Fourth Floor
P.O. Box 927
Madison, WI 53701-0927
Phone: 608-257-9521
Fax: 608-283-1709

@PFDesktop\::ODMA/WORLDOX/F:/DOCS/WD/25092/13/TRANS1.WPD

CERTIFICATE OF MAILING BY FIRST CLASS MAIL
(37 CFR §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Box MISSING PARTS, Assistant Commissioner for Patents, Washington, DC 20231 on May 3, 2002.

Date: May 3, 2002

Joseph W. Byrne
Reg. No. 43,522

MAY 10 2002 JC13 PATENT & TRADEMARK OFFICE

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PTO/SB/17 (11-01)
Approved for use through 10/31/2002. OMB 0651-0032
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 1090.00

Complete if Known	
Application Number	10/067,145
Filing Date	February 4, 2002
First Named Inventor	Bichel et al.
Examiner Name	
Group Art Unit	3653
Attorney Docket No.	25092-13

METHOD OF PAYMENT *(check all that apply)*

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number: 02-2850

Deposit Account Name: Boardman, Suhr, Curry & Field LLP

The Commissioner is authorized to: *(check all that apply)*

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional required fee(s)

☐ Charge fee(s) indicated below, **except for the filing fee** to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	370.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) ($) 370.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below	Fee Paid
Total Claims	51	-20** =	31	x 9.00	= 279.00
Independent Claims	11	- 3** =	8	x 42.00	= 336.00
Multiple Dependent					=

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) ($) 615.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	$65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for *ex parte* reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	$40.00
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) ($) 105.00

SUBMITTED BY				Complete *(if applicable)*	
Name (Print/Type)	Joseph W. Byrne	Registration No. (Attorney/Agent)	43,522	Telephone	608-257-9521
Signature				Date	May 3, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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MAY 10 2002
PATENT & TRADEMARK OFFICE

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Examiner:	
Group Art Unit:	3653

CERTIFICATE OF MAILING BY FIRST CLASS MAIL
(37 CFR § 1.8(a))

I hereby certify that the following documents:

(1) Return Receipt Postcard;
(2) Transmittal Letter (in duplicate), 2 pages;
(3) Fee Transmittal, Form PTO/SB/17 (in duplicate), 1 page;
(4) Notice to File Missing Parts (copy), 1 page;
(5) Declaration, Form PTO/SB/01, 2 pages;
(6) Recordation Form Cover Sheet for Assignment, Form PTO-1595, 1 Page;
(7) Assignment, 3 pages;
(8) Power of Attorney for Bichel, Form PTO/SB/81, 1 page;
(9) Power of Attorney for Bechert, Form PTO/SB/81, 1 page; and
(10) Check No. 52370 in the amount of $1,090.00

related to the above-referenced patent application are being deposited herewith with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231 on May 3, 2002.

Date: May 3, 2002

Joseph W. Byrne
Reg. No. 43,522

BOARDMAN, SUHR, CURRY & FIELD LLP
1 South Pinckney Street, Fourth Floor
P.O. Box 927
Madison, WI 53701-0927
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/067,145	02/04/2002	Ronald A. Bichel	25092-13

CONFIRMATION NO. 4799

FORMALITIES LETTER

OC000000007575119

22493
BOARDMAN, SUHR, CURRY & FIELD LLP
ATTN: IP PRACTICE GROUP
1 SOUTH PINCKNEY STREET, FOURTH FLOOR
P.O. BOX 927
MADISON, WI 53701-0927

Date Mailed: 03/04/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
 *Applicant must submit $ **740** to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is $1230.
 - **$558** for **31** total claims over 20.
 - **$672** for **8** independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of $130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is $ 2100.**

A copy of this notice MUST be returned with the reply.

05/13/2002 YPOLITE1 00000035 10067145
01 FC:201 370.00 DP
02 FC:205 65.00 DP
03 FC:203 279.00 DP
04 FC:202 336.00 DP

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Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE